THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.26962 OF 2003

DATED: 11-7-2007

Between:

Feroz Pasha

.. Petitioner

and

The Regional Passport Officer, Secunderabad and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.26962 OF 2003

ORDER:

This writ petition is filed seeking a mandamus directing the respondents to correct the date of birth of the petitioner in his passport bearing No. A 4580275 as 20.7.1978 instead of 20.7.1975 by issuing a fresh copy of the passport on payment of required charges.

According to the petitioner, he was born on 20.7.1978 in Muslim Maternity Nursing Home at Hyderabad, which is evident from the Certificate of Birth issued by the Municipal Corporation of Hyderabad (for short 'M.C.H.'). On his application in the year 1997, passport was issued on 30.12.1997, which is valid upto 29.12.2007. While so, he wanted to go abroad for livelihood and, while he was in the said process, in the month of November 2003, he noticed that his date of birth was wrongly entered in the passport as 20.7.1975 instead of 20.7.1978. Immediately, he approached the 1st respondent and brought the mistake occurred to his notice and also stated about his intention to file an application under Section 5 (1-A) (II) of the Indian Passport Act, 1967 for rectification of the said mistake. But, the 1st respondent refused to entertain any such application and directed him to obtain appropriate orders from a competent Court of law. Therefore, this writ petition.

Learned counsel for the petitioner contended that the authorities committed a mistake while entering the date of birth of the petitioner in the passport, and that the certificate of birth issued by the M.C.H. and

the extract of the birth register being maintained by the M.C.H. as well as the S.S.C. certificate of the petitioner uniformly show the date of birth of the petitioner as 20.7.1978, but not 20.7.1975.

In view of the above, without expressing any opinion on merits, the respondents are directed to consider the case of the petitioner for correcting his date of birth as 20.7.1978 instead of 20.7.1975 in the passport, after verifying the necessary certificates and also in the light of the Judgment of this Court in **Mohd.Nasrullah Khan v. Regional Passport Officer, Hyderabad**[1], within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

C.V. RAMULU, J

11th July, 2007.

Note:

Issue order copy
in one week.

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IBL

[1] 2005 (1) ALD 419